SUBJECT NAACP

FILE NUMBER 61-3176

SECTION NUMBER 2

SERIALS 18X5 - 20

Federal Bureau of Investigation

United States Department of Justice

This case originated at MEMPHIS, TENNESSEE File No. 100-662

Report made at	Date made	Period for which made	Report made by
MEMPHIS, TENNESSEE	10-22-41	9-29,30-41	[redacted] DDM

Title

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE.

Character of case

INTERNAL SECURITY - C

SYNOPSIS:

National Association for the Advancement of Colored People not considered to be Communist front organization. Several Southern chapters have been subject to Communist infiltration. Constitution and By-laws of the branches, National officers, Southern officers, Memphis, Nashville and Mobile chapter officers set out. Official publication of the N.A.A.C.P. is known as "The Crisis". Youth groups organized at Southern college universities. LeMoyne College chapter at Memphis suspected of radical tendencies.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED - P DATE 9-22-80 BY SP1 [illegible]

DETAILS: AT MEMPHIS, TENNESSEE:

The following investigation was conducted jointly by Special Agent [redacted] and the writer:

[redacted] He said that the National organization could not be considered Communistic in any sense; that its purpose was solely and simply

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to better the economic and social conditions of the colored people. He added, however, that some of the chapters of the N.A.A.C.P. here in the South had been subject to Communist infiltration and that there had been attempts made in these chapters to divert the purpose of the organization so as to further the program of the Communist Party. He provided the following list of National officers, Board of Directors and Legal Committee of the National organization:

NATIONAL OFFICERS

President
ARTHUR B. SPINGARN

Chairman of the Board
DR. LOUIS T. WRIGHT

Vice-Presidents
MARY McLEOD BETHUNE
NANNIE H. BURROUGHS
GODFREY LOWELL CABOT
HON. ARTHUR CAPPER
DR. WALTER GRAY CRUMP
BISHOP JOHN A. GREGG
REV. JOHN HAYNES HOLMES
MANLEY O. HUDSON
HON. IRA W. JAYNE
HON. CAROLINE O'DAY
REV. A. CLAYTON POWELL
OSWALD GARRISON VILLARD

EXECUTIVE OFFICERS

WALTER WHITE	Secretary
ROY WILKINS	Assistant Secretary Editor, The Crisis
CHARLES H. HOUSTON	
THURGOOD MARSHALL	Special Counsel
WILLIAM PICKENS	Director of Branches
DAISY E. LAMPKIN	Field Secretary
E. FREDERIC MORROW	Branch Coordinator
GEORGE B. MURPHY, JR.	Publicity and Promotion
REV. JAMES H. ROBINSON	Acting Youth Director.

BOARD OF DIRECTORS

Atlanta	DR. N. C. McPHERSON
	EUGENE M. MARTIN
Baltimore	CARL MURPHY
Birmingham, Ala.	DR. E. W. TAGGART
Boston, Mass.	ALFRED BAKER LEWIS
Charleston, W. Va.	T. G. NUTTER
Chicago	Prof. PAUL H. DOUGLAS
Cleveland	Hon. HARRY E. DAVIS
	L. PEARL MITCHELL
Detroit	LOUIS C. BLOUNT
Emporia, Kans.	WILLIAM ALLEN WHITE
Ithaca, N. Y.	MAJOR ROBERT E. TREMAN
Newark, N. J.	GRACE B. FENDERSON
New York	LILLIAN A. ALEXANDER
	DR. ALLAN KNIGHT CHALMERS
	MARION CUTHBERT
	HUBERT T. DELANY
	DOUGLAS P. FALCONER
	LEWIS S. GANNETT
	JOHN HAMMOND
	REV. JOHN HAYNES HOLMES
	DR. WILLIAM LLOYD IMES
	DR. JOHN H. JOHNSON
	HON. HERBERT H. LEHMAN
	WILLIAM ALLAN NEILSON
	MARY WHITE OVINGTON
	HON. CHARLES POLETTI
	A. PHILLIP RANDOLPH
	REV. JAMES H. ROBINSON
	COL. THEODORE ROOSEVELT
	AMY E. SPINGARN
	HON. CHARLES E. TONEY
	FRANCES HARRIET WILLIAMS
	DR. LOUIS T. WRIGHT
Oklahoma City	ROSCOE DUNJEE
Philadelphia	ISADORE MARTIN
Richmond, Va.	DR. W. L. RANSOME
St. Louis	SIDNEY R. REDMOND
Talladega, Ala.	REV. JOSEPH W. NICHOLSON
Topeka, Kans.	HON. ARTHUR CAPPER
Washington	WILLIAM H. HASTIE
	CHARLES EDWARD RUSSELL
	DR. CHARLES H. THOMPSON
	DR. ELIZABETH YATES WEBB.

NATIONAL LEGAL COMMITTEE

WILLIAM H. HASTIE, Washington, Chairman

Atlanta	A. T. WALDEN
Berkeley, Calif.	WALTER A. GORDON
Boston	IRWIN T. DORCH
Charleston, W. Va.	T. G. NUTTER
Chicago	IRVIN C. MOLLISON
	EDWARD H. MORRIS
Erie, Pa.	WILLIAM F. ILLIG
Jacksonville	S. D. McGILL
Los Angeles	THOMAS L. GRIFFITH, JR.
Louisville	CHARLES W. ANDERSON
Madison, Wis.	LLOYD GARRISON
Muskogee, Okla.	CHARLES A. CHANDLER
Nashville, Tenn.	Z. ALEXANDER LOOBY
New York	HUBERT T. DELANY
	MORRIS L. ERNST
	ARTHUR GARFIELD HAYS
	BENJAMIN KAPLAN
	KARL N. LLEWELLYN
	JAMES MARSHALL
	WALTER MENDELSOHN
	CHARLES H. STUDIN
Philadelphia	FRANCIS BIDDLE
Pittsburgh	HOMER S. BROWN
Toledo, Ohio	JESSE S. HESLIP
	WILLIAM T. McKNIGHT
Washington	CHARLES H. HOUSTON
	EDWARD P. LOVETT
	JAMES N. NABRIT, JR.
	LEON A. RANSOM
	STEPHEN J. SPINGARN
Wilmington, Del.	LOUIS L. REDDING.

The National Association for the Advancement of Colored People maintains its National headquarters at 69 Fifth Avenue, New York. The organization has branch chapters in practically all the large cities in the country but is particularly strong in the major population centers of the South.

67D [redacted] provided the reporting agent with a copy of the Constitution and By-Laws for the Branches of the National Association for the Advancement of

Colored People, These are set out below:

"ARTICLE I.

NAME AND OBJECT

Section 1 Name — The name of this organization shall be the (name of city or county) Branch of the National Association for the Advancement of Colored People.

Section 2 Object — The ..... Branch shall be a constituent and subordinate unit of the Association, subject to the general authority and jurisdiction of the Board of Directors of the Association. Its objects shall be to promote the economic, political, civic and social betterment of colored people and their harmonious cooperation with other peoples, in conformity with the articles of incorporation of the Association, its constitution and by-laws, and as directed by the Board of Directors of the Association.

ARTICLE II.

OFFICERS

Section 1 Officers — The officers of the Branch shall be a President, Vice-President, Secretary, and Treasurer; also, at the option of the Branch, additional Vice-Presidents and an Assistant Secretary. The officers shall be elected as hereinafter provided.

Section 2 President — The duties of the President shall be:

(a) To preside at meetings of the Branch and to act as Chairman of the Executive Committee, unless the Executive Committee elects some other member of its body to be chairman.

(b) To appoint all committees not directly elected by the Branch or the Executive Committee.

(c) Between meetings of the Executive Committee and subject to the approval thereof, to exercise general executive authority on behalf of the Branch.

(d) To perform such other functions and exercise such further duties as may be voted from time to time by the Branch or the Executive Committee.

(c) To countersign all requisitions by the Secretary for disbursements from the Branch treasury.

The President shall be ex-officio a member of all committees, except the Nominating Committee as provided in Article IV, Section 4. *

Section 3 Vice President shall perform

The duties of the Vice-President shall be to perform all the duties of the President in his absence or disability. In case of more than one Vice-President, the Vice-Presidents shall be designated as first, second, third, etc., and their duties according to their numerical rank.

Section 4 Secretary

The duties of the Secretary shall be:

(a) To act as Secretary of the Branch and the Executive Committee, to give due notice of all meetings of the Branch and the Executive Committee, to keep full and accurate records of the proceedings of the Branch and of the Executive Committee and record the same in a minute ~~book or minute books~~.

(b) To keep a record of all Branch members and their dues.
(c) To give receipts for all membership fees received and to transmit such fees to the Branch Treasurer; to send promptly to the National Office lists of all memberships received; to secure from the Treasurer and forward to the National Office that portion of membership fees belonging to the National Office.
(d) To aid, coordinate and integrate the work of the several committees and division of the Branch.
(e) To submit reports to the Branch and the Executive Committee at all regular meetings, or whenever required by either body, covering the status of the Branch and its activities since the date of the last report; to submit to the Branch at its annual meeting an annual report on the status and activities of the Branch. A copy of all reports by the Secretary when adopted by the Branch shall be forwarded to the National Office.
(f) To keep the Secretary of the National Association for the Advancement of Colored People informed of all events affecting the interests of colored people in the vicinity of the Branch, and to submit to the National Office, whenever required by the National Office, a report on Branch activities.

(g) In conjunction with the President, to sign requisitions for disbursements from the Branch treasury and to maintain a file of receipts for disbursements.

The Secretary shall be ex-officio a member of all committees, except the Nominating Committee as provided in Article IV, Section 4. *

Section 5 The duties of the Treasurer shall be:

Treasurer

(a) To receive all monies of the Branch and promptly to deposit the same in the name of the Branch in a separate account or accounts in a responsible bank or trust company. No money shall be withdrawn from any such account except on check signed by the Treasurer and countersigned by the President.

(b) To act as Chief financial officer of the Branch and Chairman of the Finance Committee.

(c) To make authorized disbursements upon requisitions signed by the Secretary and countersigned by the President. Each requisition shall recite the amount and purpose of the payment requested. Every requisition in the amount of one hundred dollars or more must further be approved by the Executive Committee before payment. The Branch by regulation may require that requisitions in smaller amount be approved by the Executive Committee.

(d) To remit through the Secretary to the National Office the proportion of membership fees to which the National Office is entitled, as hereinafter provided, within fifteen days after their receipt (Article V, Section 4).

(e) To submit reports to the Branch and the Executive Committee at all regular meetings, or whenever required by either body, covering the financial condition of the Branch, showing receipts and disbursements, outstanding accounts unpaid since his last report; to submit an annual report of the business of his office at the annual meeting of the Branch, to which shall be appended a statement signed by the President and Secretary that all funds received by the Branch have been listed in the Treasurer's report. A copy of all reports by the Treasurer, when adopted by the Branch, shall be forwarded to the National Office.

* Amended by National Board of Directors, March 11, 1940.

The Branch may require the Treasurer to be bonded at the expense of the Branch.

ARTICLE III.

COMMITTEES

Section 1 Executive Committee

The Executive Committee shall have general control of the affairs of the Branch, subject to the authority of the Branch and to the provisions of this Constitution. It shall consist of the President, First Vice-President, Secretary, Treasurer, the chairmen of the standing committees of the Branch, the President of the Youth Council, the President of each College Chapter in the same community, the Senior Branch Adviser in the Youth Council, the Senior Branch Adviser of the Junior Youth Council, and such other members to be elected at the annual meeting of the Branch as the Branch by by-law may decide: Provided, that the total membership of the Executive Committee shall not exceed twenty-five, except by written authorization of the Board of Directors of the Association.

The Executive Committee shall render a report to the Branch at the regular meetings of the Branch and whenever otherwise required by the Branch.

The further duties and powers of the Executive Committee shall be:

(a) At its first meeting following the annual meeting of the Branch, to appoint the standing committees.
(b) To appoint special committees from time to time.
(c) To fill all vacancies in Branch offices or on committees for the unexpired term.

The quorum of the Executive Committee shall be determined by the Branch but shall not be less than one-third of its total membership.

Section 2 Standing Committees

The standing committees of the Branch shall be the Committee on Membership, Finance, Press and Publicity, Legal Redress and Legislation, Labor and Industry, Education, Entertainments, and Youth Council and Junior Work.

With the exception of the Committees on Membership, Labor and Industry, Education, and Entertainments,

which may be larger if desired by the Branch, these standing committees shall consist of not less than three members nor more than seven members.

The duties of the standing committees shall be:

(a) MEMBERSHIP. The Membership Committee shall work to increase the membership of the Association.

(b) FINANCE. The Finance Committee, which shall consist of the President, Treasurer, and at least one other member, shall have the duty of raising funds for the Branch for special, local and other purposes within the scope of the Branch program.

(c) PRESS AND PUBLICITY. The Press and Publicity Committee shall endeavor to secure publicity in the local press for the work of the Branch and the Association. By personal visits and correspondence, it shall attempt to interest editors in local conditions affecting colored people and in the race question in general.

It shall watch carefully the publications of the community and report thereon to the appropriate committee.

The Press and Publicity Committee shall be responsible for forwarding to THE CRISIS items covering Branch activities and important local affairs. It shall also act as far as possible as an agency for the promotion and sale of THE CRISIS.

No publicity shall be released by the Press and Publicity Committee without first being approved by the President of the Branch.

(d) LEGAL REDRESS AND LEGISLATION. The Legal Redress and Legislation Committee if possible shall be comprised largely of lawyers. It shall examine the state laws and local ordinances for possibilities of discrimination, work for better and equal enforcement of the laws, sponsor beneficial legislation, and work for the repeal of discriminatory laws.

It shall keep the Executive Committee of the Branch and the National Office promptly informed of all proposed legislation affecting colored people.

It shall investigate all cases reported to it for legal redress, consulting when necessary with the attorneys of the National Legal Committee, and shall watch over all litigation in which the Branch is interested.

The Legal Redress and Legislation Committee shall not given general legal advice.

(e) LABOR AND INDUSTRY. The Committee on Labor and Industry shall seek ways and means of improving the status of colored people in labor, industry and agriculture.

(f) EDUCATION. The Committee on Education shall study local educational conditions affecting colored people. It shall aim to be a center of popular education on the race question and the work of the National Association. It shall seek to stimulate attendance of colored youth in schools and shall visit the schools so as to keep informed of conditions and strive to correct abuses where found.

(g) ENTERTAINMENTS. The Committee on Entertainments shall have charge of entertainments of such kind as shall be approved by the Executive Committee.

(h) YOUTH COUNCIL AND JUNIOR WORK. The Committee on Youth Council and Junior Work shall consisy of the Senior Branch Adviser to the Youth Council, The Senior Branch Adviser to the Junior Youth Council, the Youth Council President, and the Junior Youth Council President. The membership of this Committee may be increased by the Branch Executive Committee to seven members.

The Committee on Youth Council and Junior Work shall be responsible to the Branch Executive Committee. Its duties shall be to develop the youth program of the Branch and to coordinate the programs of the senior and youth groups.

Section 3 Tenure — Members of the Executive Committee and of the several standing committees shall hold office for one year and until their successors are elected and qualify.

Section 4 Vacancies and Removals — Non-functioning committees shall be promptly discharged by the Executive Committee and, where necessary, new appointments made by the Executive Committee for the unexpired terms of unfulfilled purposes.

The position of any member of the Executive Committee or of any standing or special committee who shall be absent from three consecutive meetings of the committee, without notice or explanation to the committee, may be declared vacant by the Executive Committee.

ARTICLE IV.

ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

Section 1 Organization Meeting The officers and Executive Committee elected at the organization meeting of the Branch shall hold office until their successors are elected and qualify.

Section 2 Annual Meeting and qualify. Thereafter, all officers and the Executive Committee, shall be elected by ballot at each annual meeting of the Branch and shall hold office for one year and until their successors are elected

Section 3 Elections All those who signify their intention of becoming charter members of the Branch and their endorsement of the aims and purposes of the National Association for the Advancement of Colored People and who have paid the prescribed fees shall be entitled to vote at the organization meeting and to be elected to office.

Thereafter, all members who are in good standing by noon of the day of any meeting of the Branch shall be entitled to vote at that meeting and to hold office in the Branch.

Section 4 Nominating Committee At the regular meeting of the Branch next preceding the annual meeting, the Branch may elect a Nominating Committee, composed of not less than three nor more than seven members, to present nominations at the annual meeting for all offices and the Executive Committee: Provided, that additional nominations may be made at the annual meeting by written petition signed by three or more members of the Branch.

In case a nominating committee is not elected or neglects or refuses to render a report, nominations shall be made at the annual meeting by written petition signed by three or more members of the Branch.

Section 5 Right to Vote The right to vote is personal and may not be exercised by proxy.

ARTICLE V.

MEMBERSHIP AND DUES

Section 1 Membership — Any person may become a member of the Branch in accordance with the articles of incorporation and the constitution and by-laws of the Association by paying annually in advance a fee of at least one dollar. Membership in the Branch shall include membership in the National Association.

Section 2 THE CRISIS — Any person paying an annual membership of two dollars and fifty cents or more shall be entitled to receive THE CRISIS without further charge during the year.

Section 3 Members-at-Large — Members of the National Association in good standing where branches are being formed may affiliate with the new Branch and be entitled to vote upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the new Branch until the expiration of the annual membership for which they have paid.

Section 4 Division of Fees — The Branch shall remit to the Treasurer of the National Association the National Office's share of all membership fees, within fifteen days of their receipt, in the following proportions, and may retain the balance in its treasury for local purposes:

(a) SENIOR MEMBERSHIP (for persons twenty-one years of age or over) $1.00; To National Office, $0.50; local treasury $0.50.

(b) YOUTH MEMBERSHIP (for persons under twenty-one years of age) $0.50; To National Office $0.25; local treasury $0.25.

(c) CRISIS MEMBERSHIP (includes one year's subscription to THE CRISIS) $2.50; to National Office $2.00; local treasury $0.50.

(d) BLUE CERTIFICATE MEMBERSHIP (includes THE CRISIS and literature) $5.00; To National Office $3.75; local treasury $1.25.

(c) GOLD CERTIFICATE MEMBERSHIP (includes THE CRISIS and all literature) $10.00; to National Office $6.25; local treasury $3.75.

(f) LIFE MEMBERSHIP -- $500.00 or more. Life Membership shall constitute an endowment for the national work of the Association and the full sum shall be forwarded to the National Office.

Section 5 Contributions

The Branch may retain for the local treasury ten ($10.00) dollars out of every contribution of twenty-five ($25.00) dollars or more which it obtains. The balance of such contributions shall be forwarded to the Treasurer of the National Association.

Section 6 State and Regional Assessments

Wherever the Branch comes within the jurisdiction of a state or regional conference, assessments on the Branch for support of the conference shall be paid into the National Office and transmitted by the National Office to the treasury of the state or regional conference. The amount of such assessments shall be determined by the state or regional conference with the approval of the National Board of Directors.

Section 7 Other Funds

The Branch may raise and retain funds for local purposes within the scope of the Association program, through entertainments and other special activities; but in all announcements regarding such entertainments and special activities, the specific local purpose for which the funds are to be used must be made clear and a full financial report shall be rendered to the Branch, the National Office, and the public.

The Branch may raise funds with the consent of the National Office in the name of the National Association for the Advancement of Colored People, for other than local purposes, through entertainments and special activities, in which case fifty per cent of the net proceeds shall be sent to the National Office and fifty per cent retained in the Branch treasury. A financial report of all such entertainments and activities shall be rendered to the Branch, the National Office, and the public.

ARTICLE VI.

MEETINGS

Section 1 Regular Meetings — Regular meetings of the Branch shall be held at lease once a month, and such other public or special meetings as may be required.

Section 2 Annual Meeting. — The Annual Meeting for the election of officers, which may coincide with the regular meeting of the Branch, shall be held between November 1 and December 15, unless the time of the meeting is changed with the written approval of the National Office. *

Section 3 — Written notice of time and place of the Annual Meeting shall be sent by the Secretary to each member of the Branch in good standing at least seven days prior to the date of the Annual Meeting.

Notice of the regular monthly or special meetings shall be sent to each member in good standing in writing, or published in some local periodical, except that notice of regular meetings need not be sent where definite dates and places of such meetings have been set by resolution of the Branch.

Section 4 Special Meetings — Special meetings may be called at any time and place on three days' written notice by direction of the President, or of any three members of the Executive Committee; or on failure of these to act, by any ten members of the Branch.

Section 5 Executive Committee — The Executive Committee shall meet at least once a month at such times and places as it may determine. Special meetings of the Executive Committee may be called by the President, the Secretary, or by two members of the Committee, on two days' written notice.

Section 6 Standing Committees — The Standing Committees appointed by the Executive Committee shall meet regularly once a month at such time and places as they may determine. Special meetings may be called by the chairman or by two members on two days' written notice. All standing committees shall report each month to the Executive Committee at its regular meeting.

Section 7 Adjourned Meetings — In the event a quorum is not present at any regular or special meeting of the Branch or committee of the Branch, those present at the time and place announced for said meeting, may adjourn the same from time to time a day, hour and place certain, and without further notice all business which might lawfully have been transacted at the original meeting may be transacted at the adjourned meeting.

ARTICLE VII.

QUORUM

Quorum — The number of members necessary to constitute a quorum at all meetings shall be decided upon by a resolution adopted by the Branch.

ARTICLE VIII.

ORDER OF BUSINESS

Order of Business — Unless altered or suspended at any meeting by a majority vote of the members present, the following shall be the order of business at meetings of the Branch:

Ascertainment of members present
Reading of minutes of previous meeting
Reports of officers
Reports of committees
Elections
Unfinished business
New business

Rules of procedure as laid down in Robert's Rules of Order shall govern the Branch except as otherwise herein provided.

ARTICLE IX

REMOVAL OF OFFICERS

Section 1 Branches Failing to Report — If a Branch fails to report to the National Office for a period of four consecutive months, the National Board of Directors may declare any or all of the offices of the Branch vacant and order a new election.

Notice of removal shall be sent to the President, Secretary, and Treasurer of the Branch by registered mail at their last addresses on file in the National Office and may be published in the official organ of the National Association. Upon receipt of notice either by mail or publiscation, the officers shall perform no official act and shall hold all records and monies of the Branch, subject to the disposition of the National Office.

Section 2 Neglectful and Unit Officers

The National Board of Directors may also declare any office of the Branch vacant and order a new election, on satisfactory evidence that the officer is guilty of gross neglect of his offical duties, or of such conduct as would be inimical to the best interest of the National Association for the Advancement of Colored People or of the Branch.

The charges against the officer must be preferred in writing and signed by the person or persons making the same, and forwarded to the National Office. Immediately on receipt of the same, the Secretary of the National Association shall forward a copy of the charges by registered mail to the officer at his last address on file in the National Office. No action shall be taken on the charges until fifteen days after the copy should have reached the officer by ordinary course of post. He shall be entitled within the fifteen days to file with the National Office his answer in writing to the charges. The National Board of Directors reserves the right to hear and act on the charges and defense on written statement, affidavit, or oral testimony as in its judgment justice may require.

Notice of the findings and action of the Board shall be sent to the officer by registered mail at his last address on file in the National Office and, in the direction of the Board of Directors, published in the official organ of the National Association. In the event the charges are sustained and the office declared vacant, upon receipt of notice to that effect by mail, publication or otherwise, the officer shall perform no official act and shall hold all records and monies of the Branch subject to the disposition of the National Office or his successor in office.

ARTICLE X.

SUSPENSION AND REVOCATION OF CHARTER

Section 1 Suspension and Revocation

The Charter of authority received by the Branch upon its admission to the National Association for The Advancement of Colored People, may be suspended, or revoked by the Board of Directors of the Association whenever the Board shall deem it for the best interest of the Association. Such revocation shall not invalidate the membership of any member of the Branch in the National Association.

Section 2 Notice of Suspension

Notice of the findings and action of the board shall be sent by the Secretary of the Association, by registered mail, to the President and Secretary of the Branch, and may be published in the official organ of the National Association. In case the Charter of the Branch is suspended or revoked, upon receipt of notice by the President or Secretary by mail, publication, or otherwise, the Branch shall cease to function and the officers shall forthwith forward all records, property and monies of the Branch to the National Office where the same may be applied in its discretion for the benefit of the community wherein the Branch was located.

ARTICLE XI.

AMENDMENTS

Amendments

With the written approval of the National Board of Directors previously obtained, this Constitution By-Laws may be amended at any meeting of the Branch: Provided that (1) notice in writing of the proposed amendment shall be given to all members at least seven days prior to the meeting at which the same is to be acted upon; or that (2) the proposed amendment shall be approved at two successive regular meetings of the Branch.

ARTICLE XII.

AUTHORIZED COMMITTEES

Authorized Committees

Groups of seven or more individuals in communities too small to maintain a branch of the Association may be authorized by the Board of Directors to work as Authorized Committees of the National Association for the Advancement of Colored People, carrying out its purposes and objects and raising funds for its support as does a Branch, subject to such rules and regulations as the National Board of Directors may enact.

ARTICLE XIII.

YOUTH COUNCILS AND JUNIOR YOUTH COUNCILS

Youth Councils — Branches of the Association may organize Youth Councils and Junior Youth Councils which shall be subject to the control of the Executive Committee, and to such rules and regulations as the National Board of Directors may enact.

ARTICLE XIV.

WOMAN'S AUXILIARY

Woman's Auxiliary — Branches of the Association may organize a Woman's Auxiliary subject to the control of the Executive Committee and to such rules and regulations as the National Board of Directors may enact.

ARTICLE XV.

Section 1 Non-Limitation of National Association — No indebtedness or obligation shall be incurred by the Branch or any of its officers or agents in the name of the National Association for the Advancement of Colored People, and the National Association shall not be responsible for any indebtedness or obligation incurred by the Branch or by any of its officers or agents.

Section 2 — No indebtedness or obligation of more than one hundred dollars shall be incurred in the name or behalf of the Branch unless by vote of the Executive Committee.

ARTICLE XVI.

FISCAL AND BUSINESS YEAR

Section 1 Schedule — The fiscal and business year of the Branch shall begin January 1 and end December 31.

Section 2 Installation of Officers — The officers elected at the annual meeting shall be installed at the next regular meeting of the Branch following the election.

There is a Memphis Branch of the National Association for the Advancement of Colored People and the subsidiary branch of that chapter at LeMoyne College, colored university, in Memphis, Tennessee. The officers of the Memphis Branch are as follows:

UTILLUS R. PHILLIPS, President.
Reverend C. M. DAVIS, Vice-President.
MRS. R. L. FRANKLIN, Corresponding Secretary.
MRS. C. RICHARD GOODEN, Recording Secretary.
JAMES C. STAFFORD, Treasurer.

67C { The President's address is [redacted] All of these officers are colored.

The Executive Committee of the Memphis Branch is as follows:

CLEO PHILLIPS, (wife of the President)
EMMETT J. HUMES
LAWRENCE J. LEE
ALONZO LOCKE
LEROY PITTMAN
EDWARD ROBINZINE
J. A. SOMERVILLE
MRS. M. W. BONNER
MISS MARGARET BICKNELL
Professor E. C. GEORGE

Miss BICKNELL is the only member of the Executive Committee who is a white person.

The LeMoyne College Chapter is headed by MARGARET ZICKNELL and assisted by E. C. GEORGE. Both of these persons are professors at the college. The balance of the LeMoyne College officers are unknown at this time.

67D [redacted] advised that most of the officers of the Memphis Branch were employees of the Federal Government. This information was checked with

67C { [redacted] of the Post Office at Memphis, Tennessee, who advised that Reverend C. M. DAVIS is a retired Postal employee; R. L. FRANKLIN, EMMETT J. HUMES and J. A. SOMERVILLE are at the present time carriers for the Post Office here in Memphis; also, that JAMES C. STAFFORD, LAWRENCE J. LEE, EDWARD ROBINZINE and UTILLUS R. PHILLIPS are all employed by the Railway Mail Service.

He further advised that all of these individuals named have signed the oath of allegiance to the Federal Government and that they were not members of any subversive group.

670 [redacted] identified the balance of the officers as follows:

CLEO PHILLIPS is the wife of the President of the Memphis Branch of the N.A.A.C.P.

MRS. M. W. BONNER is the wife of the Secretary to the Universal Life Insurance Company in Memphis.

MISS MARGARET BICKNELL and Professor E. C. GEORGE are both professors at the LeMoyne College.

LEROY PITTMAN is a laborer working in Memphis, Tennessee.

ALONZO LOCKE and RICHARD GOODEN are both employees of the Hotel Peabody in Memphis.

He pointed out further that the N.AA.C.P. has a youth movement, but that this movement is not affiliated in any way with any other group. He did not believe that it could be considered subversive.

670 [redacted] made available to the reporting agent the list of officers of the Nashville Branch of the N.A.A.C.P. These officers are set out as follows:

Reverend W. J. FAULKNER, President
W. D. HAWKINS, JR., First Vice-President
MRS. J. T. BROWN, Second Vice-President
Reverend JULIUS JOHNSON, Third Vice-President
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Reverend F. L. McDOWELL
DR. D. T. ROLFE
Reverend J. T. PATTON

The officers of the Mobile Chapter of the N.A.A.C.P. are as follows:

M. J. JACKSON, President
C. H. FOWLKES, Vice-President
TAYLOR BURROUGHES, Assistant Vice-President
J. L. LEFLORE, Secretary
C. E. POWELL, First Assistant Secretary
MISS AILENE ARRINGTON, Second Assistant Secretary
HENRY THOMAS , Treasurer

The Executive Committee of the Mobile Chapter is as follows:

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WILLIAM MARK
R. E. L. EASTLAND
Bishop W. T. PHILLIPS
DR. P. W. GOODE
Professor O. H. JOHNSON
W. H. TYLER
NAPOLEON RIVERS
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MISS JANICE N. BLUNT

A 1941 Regional Conference of the Southern Branches of the N.A.A.C.P. elected the following officers:

J. J. LEFLORE, Chairman from Mobile
J. E. PERKINS, Secretary from Baton Rouge
J. E. LaFOURCHE, Director of Publicity, from New Orleans
DR. E. W. PAGGART, Vice-President from Birmingham
Professor E. L. BROOKES, Treasurer from Atlanta
ETHELYNNE E. HOLMES, Director of Youth Work, from Atlanta

The Regional Counsellors are as follows:

ARTHUR D. SHORES, From Birmingham
A. P. WALDEN, from Atlanta
J. EMMETT BALLARD, from Jackson, Tennessee
J. E. PERKINS, from Baton Rouge.

67D

[redacted] advised that he suspecte d the LeMoyne College Chapter at Memphis of having radical tendencies; that the individuals who were leading that group are well-known agitators. The two leaders mentioned in this report are Pacifists; others are known to be fellow-travelers among the Communist group.

P E N D I N G

UNDEVELOPED LEADS

THE MEMPHIS FIELD DIVISION

AT MEMPHIS, TENNESSEE:

67D

Will continue to contact [redacted] to secure further information from him concerning the activities and program of the LeMoyne College Chapter and to determine so far as possible the character of any subversive activities being carried on by that chapter.

AT JACKSON, TENNESSEE:

Will endeavor to determine the nature of the activities of the Jackson Branch at Jackson, Tennessee of the N.A.A.C.P.

AT NASHVILLE, TENNESSEE:

Will attempt to determine the character of the activities of the Nashville Branch and of the individuals who are officers of that branch.

PENDING

4-750 (2-7-79)

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96439

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Form No. 1
THIS CASE ORIGINATED AT WASHINGTON, D. C. NY FILE NO. 100-7629 DS

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NEW YORK CITY	10/23/41	7/31/41	[redacted]

TITLE
THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

CHARACTER OF CASE
INTERNAL SECURITY - C

SYNOPSIS OF FACTS:

[redacted]

- RUC

ALL INFORMATION CONTAINED HEREIN IS DECLASSIFIED DATE 4-22-81 BY [redacted]

REFERENCE: Report of Special Agent [redacted] dated March 11, 1941 at Washington, D. C.

DETAILS:

[redacted]

APPROVED AND FORWARDED: SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

61-3176-18X6

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FBI/DOJ

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

November 7, 1941

Walter White, Secretary of National Association for the Advancement of Colored People, (NAACP), New York City, is mentioned in numerous Bureau files in connection with the NAACP.

Report of 3-11-41, Washington Field Office, reflects this organization is international association whose aim is to secure full citizenship rights for Negro by legal & other methods & frequently by vigorous protestation of alleged discriminations. Organization has various local connections with the Communist Party & other Communist controlled organizations.

RECORDED
INDEXED
61-3176-18X7

On 11-2-40 White wrote letter to Director stating he would like to talk to him on attempts of Nazi & other groups to propagandize among Negroes as in case of National Gentile League. White stated next time he was in Washington he would phone to see if he could make an appointment.

Numerous articles appear in "Daily Worker" in regard to NAACP and Walter White, one of which on 5-7-41 states that policy of White is weak in that he prefers to "make backdoor negotiations with industrialists & wait because they 'may' hire Negro labor." This article also states that while in Washington White stays at Hays-Adams House trying to buttonhole Congressmen for his bill to investigate discrimination in defense industries & was getting good old runaround by his Congressional friends.

daj

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69 FIFTH AVENUE, NEW YORK
TELEPHONE: ALGONQUIN 4-3551
Official Organ: The Crisis

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365-11

November
5th
1941

My dear Mr. Hoover:

There is a matter I want to discuss with you briefly. I will be in Richmond, Virginia, on next Sunday, November 9th and can stop off in Washington for an appointment with you on Monday morning, the 10th, if convenient for you. Will you be good enough to let me know if this date is agreeable with you? At what hour could you see me?

Ever sincerely?

Walter White

Secretary.

Mr. E. A. Tamm
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

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Mr. J. Edgar Hoover
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

wire by Hub

RECORDED 11-7-41

61-3176-18X7

FEDERAL BUREAU OF INVESTIGATION
5 NOV 22
U.S. DEPARTMENT OF JUSTICE

CC-1500

JEE:LWO:HCB

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NOVEMBER 7, 1941

To: COMMUNICATIONS SECTION.

Transmit the following message to WALTER WHITE
SECRETARY
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
69 FIFTH AVENUE
NEW YORK CITY

RECORDED 61-3176-1887

YOUR LETTER NOVEMBER FIFTH RECEIVED. HOWEVER MR. HOOVER OUT OF CITY AND WILL NOT RETURN UNTIL NEXT WEDNESDAY.

HELEN GANDY
SECRETARY TO JOHN EDGAR HOOVER

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DATE 9-22-80 BY SP1 cs/lc

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Foxworth
Mr. Glavin
Mr. Nichols
Mr. Carson
Mr. Drayton
Mr. Quinn Tamm
Mr. Rendon
Mr. Tracy
Miss Gandy

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NOV 7 1941

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CC-150

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UNITED STATES DEPARTMENT OF JUSTICE

CT:DSS

To: COMMUNICATIONS SECTION.

NOVEMBER 12, 1941.

Transmit the following message to:

WALTER WHITE
SECRETARY
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE
69 FIFTH AVENUE
NEW YORK CITY

RECORDED 61-3176-18X9

REPLYING YOUR LETTER NOVEMBER EIGHTH WILL BE GLAD SEE YOU
IN WASHINGTON ON FRIDAY NOVEMBER FOURTEENTH

JOHN EDGAR HOOVER
DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

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Mr. Clegg
Mr. Foxworth
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Mr. Tracy
Miss Gandy
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Room 5642 _____ 1941

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___Mr. E.A. Tamm	___Mr. Skousen
___Mr. Clegg	___Mr. Quinn Tamm
___Mr. Glavin	___Mr. Nease
___Mr. Ladd	___Miss Gandy
___Mr. Rosen	___Files Section
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___Mr. Carson	___Reading Room
___Mr. Coffey	___Tours
___Mr. Harbo	___Miss Lurz
___Mr. Hendon	___Miss Weber
___ _____	___Mr. Redel

See Me
Send File

For Appropriate Action
Prepare reply

L. B. Nichols

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69 FIFTH AVENUE, NEW YORK
TELEPHONE: ALGONQUIN 4-3551
Official Organ: The Crisis

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November 8,1941

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Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Rosen
Mr. Carson
Mr. Coffey
Mr. Brado
Mr. Holloman
Mr. Quinn Tamm
Miss Gandy

Dear Miss Gandy:

Thank you for your telegram. Would Friday November 14th be convenient for Mr. Hoover or Saturday November 15th? Unhappily Friday is the only day next week that I can be in Washington. On Saturday I have an appointment with Governor Neely in Charleston, West Virginia, but I could probably shift that to Sunday, the 16th, since I have to be there that day also. I am sure Governor Neely and the others will understand if Mr. Hoover can see me only on Saturday.

I would appreciate your wiring me as early on Monday as possible.

Ever sincerely,

Walter White

Secretary

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Miss Helen Gandy, Secretary to
John Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

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WW:amb

Noted in Tele. Room 11-12-41 11 AM

61-3176-[illegible]
18x9

FEDERAL BUREAU OF INVESTIGATION
NOV 24 1941
U.S. DEPARTMENT OF JUSTICE

Wire him will see him Friday
Wire to White 11-14

DML:EAT/teb November 17, 1941

RECORDED 61-3176-18X10

Mr. Walter White
Secretary
National Association for the
Advancement of Colored People
69 Fifth Avenue
New York City

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Dear Mr. White:

In accordance with our conference on November 14, 1941, I have checked the status of the case involving [redacted] b7C
[redacted] and others, and the case dealing with the exclusion of jurors from service in Dallas, Texas. As a result of this check it is ascertained that the investigation of both of these cases was completed sometime ago by the Federal Bureau of Investigation and the complete facts referred to those officials of the Department who are charged with the responsibility of determining what action should be taken in cases of this kind. Any further action that will be taken in these matters must, of course, be determined by these Department officials.

In accordance with my oral suggestion to you, you may desire to take this matter up with the Attorney General. I have already advised him of your interest in these cases.

I hope that you will not hesitate at any time in the future to call to my attention any cases in which you may be interested.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

CH-30

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69 FIFTH AVENUE, NEW YORK
TELEPHONE: ALGONQUIN 4-3551
Official Organ: The Crisis

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Mr. Nichols
Mr. Tracy
Mr. Rosen
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. Quinn Tamm
[redacted]

November
12th
1941

My dear Mr. Hoover:

Thank you for your telegram. I will telephone your office early Friday morning to find out the hour of the appointment.

Ever sincerely,

Walter White

Secretary.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-22-80 BY SP1 CTA

Mr. John Edgar Hoover
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

WW:CTF

61-3176-18X16
FEDERAL BUREAU OF INVESTIGATION
8 NOV 17 1941
U.S. DEPARTMENT OF JUSTICE

November 14, 1941

ALL INFORMATION CONTAINED
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DATE 7-22-86 BY SP-1 SW

MEMORANDUM FOR MR. TOLSON
MR. TAMM

Mr. Walter White, Secretary of the National Association for the Advancement of Colored People, called to see me today. He wanted to discuss particularly two cases occurring in the South of unwarranted mistreatment of Negroes.

The first case he referred to was one which occurred about two years ago at Brownsville, Tennessee, involving a group of Negroes who went to inquire what they should do to qualify to vote in the Presidential Election of 1940. A few days later the town was warned that they had better not do any more talking about voting because they would get in trouble. A few nights later one man who owned his own home, and worked as a porter in a white moving picture theatre, was murdered; another was beaten up; and several had to flee, one of these being [redacted] who is now a refugee in Philadelphia. This action was alleged to have been taken by the sheriff and other officials in Brownsville. White personally went to Brownsville following this episode, gathered information, and turned it over to the United States Attorney at Memphis. He also took it up with the Department and says he understands the investigation was made and the story was confirmed as he had given it.

b7C

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The other case he referred to occurred at Tulia, Texas, in which a Negro [redacted] was called for jury duty, along with several other colored people. When Court Convened and the Clerk asked the Negroes to come up and get excused from duty, all complied except [redacted] who refused on the grounds that it was his obligation as a citizen to serve on the jury as long as he had been so called. The Judge warned him that he would have to take the consequences if he took his seat with the jury. However, he did take his seat, and even though during intermission a group of men mistreated him, throwing him down the steps, he again took his seat in the Court following intermission. White got in touch with Governor Allred, who had just been nominated by the President for a Federal Judgeship in Texas, and Governor Allred promised to arrange for [redacted] protection and straighten the matter out, even sending counsel to see White. White pointed out that this was a violation of the Federal Conspiracy Laws under Title 51, Section 19. The culprits are now serving a term in Leavenworth, not under the violation referred to above, but on dope charges. White said the facts have been submitted to the Department but no action has been taken other than the investigation so far as he knows.

b7C

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Nichols
Mr. Gurnea
Mr. Harbo
Mr. Quinn Tamm
Mr. Nease
Mr. Coffey
Mr. Carson
Mr. Glavin

COURIER DESTROYED
89 SEP 12 1941

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TIME 5:25 P.M.
DATE 11-14-41
BY

White pointed out that instances such as those cited above have a terrible effect on morale, and we discussed the problems of such instances laying the ground work for Nazi, Communist, and Facist agitators, and how important it is that proper attention be given to the economic situation involving Negroes, citing the Harlem section of New York as an example.

White referred to a report which he passed on the FBI some months ago relative to activity of Nazi agents in Pittsburgh among Negro servants employed in homes of wealthy white people. He also said there is a growing number of agitators in other places, such as in Harlem in New York. Much of this propaganda is anti-Semitic. He referred to the distribution of Nazi propaganda in Chicago, and stated he felt his organization could have gotten valuable information concerning the source of this if they had had the proper facilities.

I told Mr. White that I feel it is important that reputable Negro organizations be diligently alert to keep Nazism, Communism, and Facism from attaching themselves to Negro movements. I gave him one of our mailing lists of field offices and asked that he have his various branches report any such activities to our offices. I told him I would advise our field offices of my conversation with him and he could count upon them to cooperate with his organization.

Very truly yours

John Edgar Hoover
Director

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69 FIFTH AVENUE, NEW YORK
TELEPHONE: ALGONQUIN 4-2551
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5650?

November
24th
1941

ALL INFORMATION CONTAINED
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DATE 9-24-81 BY Splaine

My dear Mr. Hoover:

I have your letter of November 17th. Our Mr. Marshall, who has been in charge of the case, is out of town. Following his return on November 30th we shall take this up with the Department of Justice.

Ever sincerely,

Walter White

Secretary.

Mr. John Edgar Hoover
Director, Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

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NOV 24
7:30PM
1941

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61-3176-18X12

Mr. John Edgar Hoover
Director, Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

ND-46

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2/11 1942

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___Mr. Ladd	___Identification Division
___Mr. Carson	___Technical Laboratory
___Mr. Alden	___Crime Statistics
___Mr. Cunningham	
___Mr. Fitch	___MR. R. P. KRAMER
___Mr. Holloman	___MR. J. K. MUMFORD
___Mr. Kimball	
___Mr. Strickland	___Mr. _____
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___Typists Rm. 1712	___Appropriate action
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61-3176-18X14

January 30, 1942

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Mr. Walter White
Secretary
National Association for the
Advancement of Colored People
69 Fifth Avenue
New York, New York

ALL INFORMATION CONTAINED
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DATE 7-22-81 BY SP4 [illegible]

Dear Mr. White:

Your communication dated January 20, 1942, together with enclosures, has been received, and I do want to express my appreciation for your courtesy in forwarding the reprint of your article and also the other pamphlet.

I have noted your forthcoming trip to the West Coast and in this connection I want you to feel free to call at our Los Angeles and San Francisco offices should you receive any information pertinent to the national defense work of this Bureau.

Sincerely yours,

J. Edgar Hoover

cc-Los Angeles
San Francisco

2 FEB 4 1942

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NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-3551

Official Organ: The Crisis

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N.Y.

January 20, 1942

My dear Mr. Hoover:

Please pardon my delay in sending you the copy of the reprint of my article, "The Negro and the Communists," which appeared in Harper's Magazine for December, 1931. Here it is. I also include reprint of the statement by Clarence Darrow on behalf of the Association and himself explaining why the N.A.A.C.P. withdrew from the Scottsboro Case.

I go to the West Coast next month to speak at midyear Convocation of the University of California and UCLA and also to fill other speaking engagements. I shall be in Berkeley and the Bay area from February 11-16 and in Los Angeles and Hollywood from the 17-26. Are there any services I can render while there?

Respectfully,

Walter White

Secretary

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Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
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Mr. J. Edgar Hoover
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

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FEDERAL BUREAU OF INVESTIGATION
10 FEB 2 1942
U. S. DEPARTMENT OF JUSTICE

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SCOTTSBORO

By CLARENCE DARROW

and

A Statement by the N.A.A.C.P. on the Scottsboro Cases

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61-3176-1814

Reprinted from
THE CRISIS *for* March, 1932

SCOTTSBORO

By CLARENCE DARROW

Mr. Arthur Garfield Hays and I were employed by the National Association for the Advancement of Colored People to assist the young Negro boys who had been convicted in what are called the Scottsboro, Alabama, cases. The appeal from this conviction is now pending in the Supreme Court of Alabama. There was also employed with us one of the ablest and most influential lawyers in Alabama. Mr. Hays and I went to Birmingham to consult our clients and arrange for the argument of the cases in the Supreme Court.

The day after Mr. Hays and I arrived in Birmingham we received a telegram signed by all our supposed-to-be clients, who were confined in prison in Montgomery, Alabama. This telegram informed us that they did not want us to appear in their case unless we would withdraw from the N.A.A.C.P. and appear for the International Labor Defense. This latter organization had sent lawyers and agents from New York, and had employed a lawyer from Chattanooga, Tennessee. We immediately got in touch with the representatives of the I.L.D. and asked them to come to Birmingham for a consultation. When they arrived we at once told them that we could not go into a contest to procure clients. We then stated to them, orally and in writing, that we were willing to go into the case with the I.L.D. attorneys, provided that both organizations withdraw from the cases, —the N.A.A.C.P. and the I.L.D. We urged that neithef organization was a party to the record, and asked that all lawyers appear for the defendants alone.

After waiting [illegible] more than a day, while the agents and the attorneys for the I.L.D. telephoned to New York and Chattanooga, they announced that we must withdraw from any connection with the N.A.A.C.P. and come in with them under the I.L.D. This, of course, we refused to do.

Ever since the beginning of the case, propaganda has been strenuously carried on, by speeches in various States, by newspaper publicity in America and foreign countries. It was openly stated that hundreds of letters had been written to the judges, and the Governor, which threatened the officials and citizens of Alabama if the verdict of death should be carried out. The Governor stated that he had received at least fifteen hundred such letters. During the argument of the case, the court stated openly that these threats had been received by the court, but that the judges would use every effort not to let these threats prejudice them in the decision of the case.

Of course, the lives of these defendants are solely in the hands of the Supreme Court and the Governor of Alabama. It is idle to suppose that the State of Alabama can be awed by threats, or that such demonstration can have any effect, unless it is to injure the defendants.

Neither Mr. Hays nor I could possibly foresake the N.A.A.C.P., whose long and devoted services to the colored people are well known in every State in the Union. No more could we give out that we were representing the I.L.D. I am sure that we could have done nothing else than take this stand.

There is a large and rapidly growing organization in the South composed of many of her best citizens; this is made up of clergymen and other professional men, and largely the younger men and women. These are earnestly and bravely trying to bring about better relations between the white and colored people of the country. This organization is doing everything it can to save the lives of these boys, and they, in common witl most of the people of the South, deplore the threatening letters and other forms of intimidation that have been used in this case.

Of course neither Mr. Hays nor I have any interest in the religious, political, or other views of any client. All are entitled to the same protection under the law. Both of us sincerely hope that the lives of these young boys can be saved. In this we feel as do thousands of others, both in the North and the South. Still, we could not withdraw from the service of an organization which we both believe has done more for the protection of the rights of the colored people than all other associations working for their cause, and represent an organization which we believe has in this instance seriously prejudiced the case. It is plain that the N.A.A.C.P. and its representatives were in no way seeking credit when they offered to withdraw from the case and let us lawyers represent the defendants alone. This cannot be said of the I.L.D. when they refused to do the same.

A Statement by the N.A.A.C.P. on the Scottsboro Cases

THE record of the National Association for the Advancement of Colored People in the Scottsboro cases is a clear one. The sentencing to death of eight Negro boys in April, 1931, on a trumped-up charge of having raped two white girls travelling in men's clothes on a freight train in Alabama is only one incident in a series of cases involving the rights of Negroes that the N.A.A.C.P. has fought in southern courts over a period of twenty-two years, during which many notable victories have been won.

First steps by any organization or individual in these cases were taken by the N.A.A.C.P. branch in Chattanooga and the local Interdenominational Ministers Alliance. These bodies retained the only white attorney of Chattanooga whom they knew to be willing to go into the bitterly hostile atmosphere at Scottsboro which surrounded the trials and attempt at least to get into the transcript of record sufficient material to serve as basis for appeal to higher courts in the event of convictions as seemed inevitable.

The Communists were not the first organization on the ground. They did not make an appearance before or during the trial of these boys on April 6 at Scottsboro, except to send a telegram to the judge on the day of the trial. They had no attorney at the first trial, nor is there any record of them appearing in any official or unofficial capacity before or during the trial.

After the trial I.L.D. agents sought to retain Mr. Roddy and when he refused to serve them, they proceeded to denounce Roddy as a "Ku Kluxer," charging he had "urged the boys to plead guilty," and that he had not defended them adequately. *Yet they sought to hire him away from those who had engaged him for the first trial.*

The Association's secretary, Mr. White, went to Chattanooga and Alabama in April to prepare for appeal from the convictions. At that time he retained the leading criminal lawyer of Alabama, Roderick Beddow, of the firm of Fort, Beddow and Ray of Birmingham to head the defense and the two attorneys of record in the original trials for such services to the chief counsel as their knowledge of and experience in the first trials made them capable of giving.

The International Labor Defense meanwhile, a Communist organization, had endeavored to procure authorization from the boys and their legal guardians to have its attorneys defend them in court, though the boys on April 23rd in the Birmingham jail had signed a statement saying:

> "We have not signed any paper or in any other way employed or authorized any attorney or person to act for us. Men claiming to be attorneys or interested in us have been to see us at the jail in Birmingham and a Mr. Taub presented a paper for us to sign but we refused and he said he would sign for us. We did not touch the pen or tell him to sign our names. . . .
>
> "None of us want to have anything to do with the International Labor Defense or its representatives and have not had. We did not send for the International Labor Defense Organization, or its attorneys, or others who may be connected with it. They came to see us and we told them to see Mr. Roddy. We do not want our parents or other relatives to employ them or have anything to do with them."

At the end of May, the N.A.A.C.P. sent its Field Secretary, Mr. Pickens, to Alabama to interview the boys, their parents and guardians. Mr. Pickens interviewed the boys in jail together with Mr. Roderick Beddow. The boys verbally assured Mr. Pickens and this distinguished attorney that they wished the N.A.A.C.P. to defend them. In the meantime certain of the parents and relatives had been persuaded that their kin could be saved only by the Communist organization.

In an effort to smooth out the differences and to avoid a disastrous conflict between attorneys, the N.A.A.C.P. on May 19 issued the following public offer of cooperation:

> "In the defense of the boys charged with rape at Scottsboro, Alabama, the National Association for the Advancement of Colored People has but one object, and that is, a fair trial for them before the courts and exact justice to them regardless of race. For this purpose, the N.A.A.C.P. stands ready to cooperate in their legal defense and it hereby pleads for such united effort and expresses its grave fear lest without such effort these victims be executed through dissension among those very persons and organizations who are trying to defend them. The N.A.A.C.P. has already instructed its lawyers to cooperate as far as possible in legal defense with all other lawyers working in behalf of the defendants."

This offer was not accepted by the I.L.D., which instead embarked upon and continued a consistent campaign of denunciation of the N.A.A.C.P., accusing it among other things of being in conspiracy with the "lyncher bosses" and the Ku Klux Klan to procure the railroading to death of the eight condemned boys. The N.A.A.C.P. was obliged to spend considerable time in refuting these false charges because they were confusing the mind of the public and prejudicing the case of the boys, making the defense immensely more difficult.

The N.A.A.C.P. throughout the case realized that the purpose of the Communists was not only to use the Scottsboro case as a means of revolutionary propaganda, but to weaken or destroy the N.A.A.C.P. The idea was to convince Negroes that they had no hope of achieving justice except through the Communist Party.

Messrs. Fort, Beddow and Ray, who had been retained by the N.A.A.C.P. prepared a bill of exceptions 79 pages in length, including the entire transcript of record of the first trial and all pertinent data on the case, for submission to the Alabama State Supreme Court. This document for which the stenographic and photostatic charges alone were $600, was declared to be one of the most comprehensive and masterly documents of its kind ever submitted in a southern court. This bill of exceptions was subsequently certified by the trial judge and became the basis of the appeal argument before the Alabama Supreme Court.

In September, Clarence Darrow, who had previously declined to defend the cases for the I.L.D., accepted an invitation by the N.A.A.C.P. to join the defense counsel. Arthur Garfield Hays, distinguished attorney of New York, volunteered to serve with Mr. Darrow.

In the meantime, Mr. White has made four additional trips to Alabama conferring with local defense attorneys, interviewing the boys and taking all possible steps, including conference with local leaders of public opinion, to establish a state of mind favorable to a fair trial for the boys. On one of these trips, Mr. White was given the definite assurance of four of the boys that they wished the N.A.A.C.P. and it alone to defend them, the other four boys stating that they also wished the N.A.A.C.P. and it alone to defend them, subject to the consent of the parents, although the parents had already

On December 28, at a conference participated in by Messrs. Darrow and Hays with Messrs. Fort, Beddow and Ray in Birmingham, a telegram was handed Messrs. Darrow and Hays purporting to have been signed by the boys informing them that they might defend the eight boys only if Messrs. Darrow and Hays "repudiated" the N.A.A.C.P. and served under Communist auspices and control.

Messrs. Darrow and Hays, eager to save the boys, proposed that all attorneys drop all organizational connections and jointly sign the following statement:

> "We represent the defendants. We represent no organization. The lives of eight boys are at stake. It is unimportant who enlisted our interest. We will engage in no controversy between groups. We have agreed to work together to try to save these boys and our responsibility is to them and to them only."

The representatives of the I.L.D. refused to permit their attorneys to sign this statement and insisted that Mr. Darrow and all other attorneys in the case must repudiate the N.A.A.C.P. and work under Communist direction. This Mr. Darrow and Mr. Hays declined to do and on December 29 withdrew from the case. The N.A.A.C.P. Board of Directors at its annual meeting on January 4 approved their decision and publicly withdrew from the case.

The N.A.A.C.P. felt it was absolutely essential that there be no conflict between attorneys or organizations at the time the case was presented to the Alabama Supreme Court. Inasmuch as the I.L.D. would accept no compromise, and by their action deprived the boys of the services of so able counsel as Messrs. Darrow, Hays and Beddow, it was felt that that organization must be permitted to assume *full and entire responsibility for the outcome of the cases.*

Below is given the audit of receipts and disbursements in the case, made by W. C. Heaton and Co., certified public accountants of New York City.

WE have audited all receipts shown by the books to have been contributed for the purpose of defending the Scottsboro cases and (with the exception of telephone and telegraph charges, which have been test checked) all recorded expenses. A small amount only was unpaid at December 31, 1931. No charges have been made for the services of executive officers or employees of the N.A.A.C.P., nor for mimeographing, stationery, etc., in connection with Scottsboro appeals.

We have prepared and submit the attached statement which we believe correctly summarizes the receipts and expenses for the defense of the Scottsboro cases, to December 31, 1931.

Receipts

From branches of the National Association for the Advancement of Colored People	$4,604.09	
From other organizations	1,744.56	
From individuals	706.16	
Total receipts		$7,054.81

Expenses

For legal fees		
To Clarence Darrow	$2,000.00	
To Stephen Roddy and Milo Moody	870.00	
To Fort, Beddow and Ray	1,000.00	
To A. L. Walden	40.00	
Total legal fees		3,910.00
For transcripts of testimony	716.50	
For traveling expenses of officials of N.A.A.C.P.	1,604.07	
For telephone and telegraph	595.34	
For printing, pamphlets, invitations, etc.	169.35	
For postage on invitations to benefits, meetings,, etc	100.30	
For advertising, magazine articles, and miscellaneous expenses of the national office of N.A.A.C.P.	83.07	
Total expenses		$7,178.63
Excess of expenses over receipts		$ 123.82

We are informed by the Secretary of the Association that Mr. Darrow will refund a part of the fee paid him because of his withdrawal from the cases and that there will be additional bills for attorneys' expenses, the total of which is undetermined.

Very truly yours,

(Sgd.) W. C. HEATON & Co.

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N. A. A. C. P.
69 FIFTH AVENUE
NEW YORK, N. Y.

The Negro And The Communists

By WALTER WHITE

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THE NEGRO AND THE COMMUNISTS

BY WALTER WHITE

ABOUT noon of a late March day of this year two white women mill workers clambered aboard a freight train at Chattanooga with seven white men to hobo their way back home to Huntsville, Alabama. In doing this these two women started something—something that has had its repercussions in every part of the civilized world. Thomas Mann and Albert Einstein, H. G. Wells and Theodore Dreiser and thousands of lesser luminaries of the world of letters, politics, religion, and business have had something to say on the matter. The events which flowed with such startling rapidity from that March day have moved Negro thought as has nothing else within recent years. For this series of episodes growing out of the stealing of rides in a "side-door Pullman" has given a new significance to the race question and forced it into the consciousness of the United States and of the world at large.

What happened? Pieced together from the official transcript of the court trials which grew out of the episode and from the enormous mass of rumor which inevitably accompanies such a case, the facts are these. The freight train, half a mile or so in length, sped along westward from Chattanooga towards Memphis. The two girls, dressed in men's overalls, and their seven white male companions occupied a gondola—a freight car with sides but no top—filled to two-thirds of its capacity with crushed gravel. One of the girls declares that in all the journey of thirty odd miles to Stevenson, Alabama, neither she nor her companion paid any attention to their companions nor spoke to them. The other girl told the more probable story that they laughed, joked, sang, and had a generally pleasant time with the seven men who shared the gondola with them.

At Stevenson the human cargo of the freight train was materially augmented when twenty or thirty Negroes clambered aboard. The whites assert that all of them entered the gondola. A quarrel arose when, according to some of the Negroes, one of the white men angrily shouted, "You niggers get out of here!" So thoroughly is the principle and practice of "Jim Crow" embedded in the Southern consciousness, apparently, that the white hoboes felt there ought even to be "Jim Crow" freight cars as well as passenger ones. The whites allege they were overpowered by the larger number of Negroes and thrown from the train; another story has it that there was no fight but that the white men hastily quitted the train, leaving the girls to whatever fate should befall them. One of the white men in his haste to get off fell between two cars and, about to be injured or killed, was pulled back to safety by two of the Negro boys. The press, however, declared he was forced out of sheer viciousness to remain as a witness to the alleged attacks. One of the whites who fled the train hurried back to Steven-

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son and telephoned the sheriff at Paint Rock, the next town, of what had happened and asked that he stop the train and arrest the Negroes.

All this, together with six alleged criminal attacks upon each girl, happened in the time it took the train to make the run from Stevenson to Paint Rock, a distance of thirty-eight miles. A harrowing tale was related by the older girl of knives held at the throats of her companion and herself while the assaults took place.

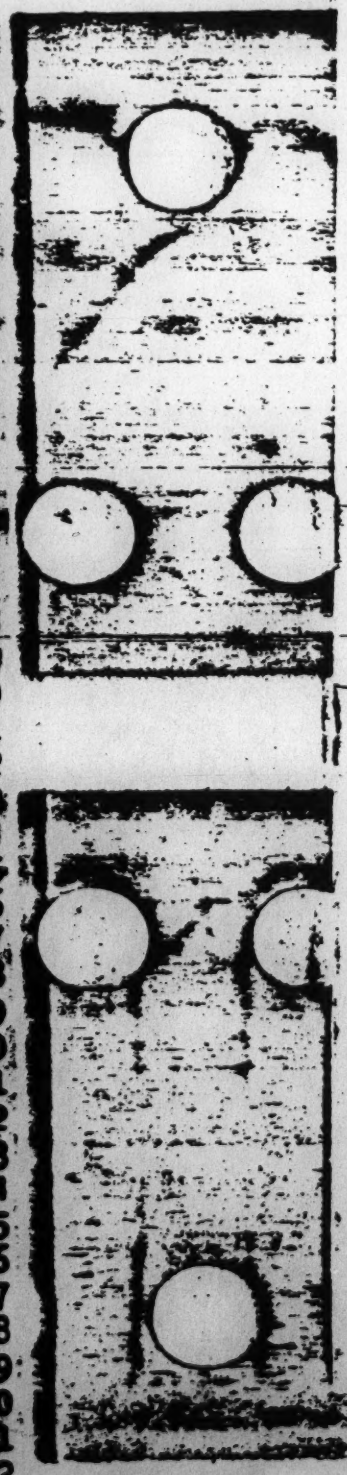
The sheriff and an armed posse halted the train at Paint Rock. Only nine of the twenty to thirty Negroes who had boarded the train remained on it. These nine were scattered along the length of the train. They were arrested and placed in jail at Scottsboro, the county seat of Jackson County, as were the two girls and two white men found on the train, one of them being the one who was rescued by the Negroes. Significantly enough, this man who was the only known eye-witness to the alleged attacks other than the plaintiffs and defendants, was placed on the witness stand by the prosecution only in rebuttal. The prosecutor of Jackson County is reported to have attributed this to the fact that this white man was incapable of comprehending that "having sexual intercourse" is synonymous with a short, less literary, Anglo-Saxon word not used in polite society.

It seems clear that the officials of the law at Scottsboro intended at first only to charge the nine Negro defendants, who ranged in age from fourteen to twenty years, with the crimes of fighting and stealing a ride. But when it was discovered that two of the four white "men" were women in men's clothing, the girls were vigorously questioned as to whether or not sex offenses had been committed on them by the Negroes. It is reported reliably that for some time they asserted that none had been committed. Meantime news of the arrest and especially of discovery of the sex of two of the whites had spread through the vicinity. A crowd which grew rapidly gathered about the jail, ominously working up its rage and seeking a leader to stage a wholesale lynching. Two white local physicians were summoned to examine the girls. They later testified that they found the girls "in normal condition, mentally and physically." One of the girls had a slight abrasion which, one of the doctors admitted, might easily have been caused by riding in a springless freight car fifty miles with crushed gravel as a resting place, or in clambering over the side of the car in boarding or getting down from it. There was evidence that both girls had had sexual relations at some time prior to the examination, but further questioning established strongly the likelihood that these relations had occurred some hours previous to their entering the freight car at Chattanooga. There was no evidence of assault.

An infinite number of rumors (none the less potent because many of them untrue) swept through the town like a prairie fire. All manner of unbelievable atrocities had been perpetrated upon the two girls which, with each retelling, became more fiendish. At the same rate the reputations of the girls grew speedily more pure and unblemished. Huddled in terror inside the tiny country jail, the nine Negro lads, only two of whom, according to their story, had even so much as seen each other until they met in the Scottsboro jail, listened to the steadily mounting roar of the blood-hungry mob outside.

So ominous did it become that officers after nightfall bundled the boys into motor cars and hurried them away to a stronger jail at Gadsden.

A week later the defendants were returned to Scottsboro and speedily in-



dicted on charges of rape; a fortnight later they went on trial. One hundred and three national guardsmen with drawn bayonets, tear-gas bombs, and machine guns surrounded the Jackson County courthouse to prevent lynchings; they were sent there through the intercession with the governor by the Alabama Commission on Interracial Co-operation. The courtroom and the space outside for a great distance around the courthouse were packed tight with ten thousand people, many of them armed, according to conservative estimates. Scottsboro's merchants, who catered on ordinary days to the simple needs of fifteen hundred souls, did a thriving business with the quintupled population.

As required by law when penniless defendants face trial where death is a possible verdict, Judge A. J. Hawkins assigned to the defense the entire Jackson County bar, consisting of seven lawyers. Six hastily made excuses and were relieved by the court from the obligation of serving. One remained on the case—Milo Moody, getting along in years but true to his reputation of being a mild village iconoclast, willing to take hopeless cases.

Into the courtroom walked a white lawyer from Chattanooga to ask permission of the court to assist in the defense. A group of Negro ministers and members of the National Association for the Advancement of Colored People had been stirred to action by the impending danger to the youthful defendants and by the far from groundless fear that their constitutional rights would be gravely endangered in such an atmosphere when charged with such an offense. These Chattanooga Negro leaders had raised about a hundred dollars to employ a lawyer. Knowing it would have been useless if not suicidal for a Negro lawyer to have appeared at Scottsboro, they retained Stephen R. Roddy, the only white lawyer in Chattanooga who, so far as they knew, dared face the hostile mob.

Judge Hawkins challenged Roddy at once, declaring that if the Chattanooga lawyer had been retained to defend the nine boys, he would relieve the Scottsboro Bar from its responsibility. Knowing the hostility any lawyer from outside the town and State would encounter, and being himself unfamiliar with Alabama legal procedure, Roddy explained to the judge that he had not "exactly been retained" but would like permission to assist Mr. Moody. After some discussion this was permitted, and the trials proceeded.

The defense provided the nine boys fell considerably short of perfection. It is difficult, however, months afterward and miles away to picture the thoughts and emotions which went through the minds of the two defense attorneys. Inside the dingy courtroom men with grim, hard faces pressed close to them as they sat at the counsel table. When Victoria Price jauntily told her story, reveling in the exciting spotlight so utterly different from the accustomed dreariness of her work in an antiquated cotton mill, out of the crowd came a roar which repeated banging of the judge's gavel could not suppress. Outside, tightly packed thousands sent their message of venom and hatred through the windows, opened in the sultry heat of a prematurely warm spring day. Appallingly hostile was the atmosphere already. But that hostility knew no bounds, and the faint chance of getting into the official record of the trial sufficient basis for appeal to a higher court went glimmering when it became known that Judge Hawkins had received a bombastic telegraphic threat from a Communist organization in New York City, the International Labor Defense, which intemperately asserted that the presiding judge "would be held per-

sonally responsible unless the nine defendants are immediately released."

With sickening rapidity one after another of the boys was found guilty and sentenced to death. Only one escaped the death penalty. The prosecutor asked only for life imprisonment for him because the defendant had just then attained his fourteenth birthday. But seven jurors were adamant for the death penalty for him as well.

The prospect of early deaths for the other eight appeased the crowd. Taking advantage of the subsiding of the lynching atmosphere, the defense attorneys encountered no objection when they placed on the witness stand the officer in charge of the national guardsmen and a local court official. From these the admission was gained for the record that the roar of approbation which greeted announcement of the verdicts of guilty of the first two boys tried had unquestionably been sufficient to penetrate to the room where jurors deliberated over the cases of the others. Such admissions are of vital importance in appealing the cases to a higher court, for the United States Supreme Court ruled in 1915 in the famous Arkansas Riot Cases (Moore vs. Dempsey, *261 U. S. 86*) that trial in a court dominated by a mob is not due process of law.

II

Steps were promptly taken by the National Association for the Advancement of Colored People, aided by the Commission on Interracial Co-operation and other bodies, to appeal the case to the Alabama Supreme Court, since careful investigation had established more than reasonable doubts of the innocence of most if not all of the defendants. When the boys were safely incarcerated in the stout Kilby State Prison, near Montgomery, two of them who had testified against several of their co-defendants now declared in affidavits that they had been induced to do so by beatings and by threats that they would be shot down in the courtroom if they varied in the slightest from the stories they were forced to tell. All nine of the boys vehemently protested their innocence, declaring that had they had the faintest notion they were to be accused of any crime, however trivial, they too would have fled the train between Stevenson and Paint Rock as did others of the original twenty to thirty Negroes who had boarded the ill-fated train at Stevenson.

Exhaustive investigations vitally necessary to successful action to obtain a new trial or rehearing in a less mob-charged atmosphere were begun. A highly competent newspaper woman and investigator sent to the scene by the American Civil Liberties Union revealed that the reputation of the two girls was far from savory. Conversation with one of the plaintiffs, according to this investigator, "convinced me that she was the type who welcomes attention and publicity at any price. The price in this case means little to her. . . . Having been in direct contact from the cradle with the institution of prostitution as a sideline necessary to make the meager wages of a mill worker pay the rent and buy the groceries, she has no feeling of revulsion against promiscuous sexual intercourse such as women of easier lives might suffer. . . . The younger girl found herself from the beginning pushed into the background by the more bubbling, pert personality" of the older girl, and resented the monopoly of the spotlight her companion had obtained.

The Advancement Association sent its secretary to the scene to co-operate with its branches in Chattanooga and Alabama and to select counsel to perfect appeals. He retained the out-

standing criminal law firm of the State, one of whose members had for fourteen years served on the bench. Another member of the firm is generally reputed to be the ablest trial lawyer in the State, whose father before him had been a distinguished member of the Alabama bar. All the members of the firm are representative of the new South which is valiantly struggling to free that section of the country from the stigma of prejudice and oppression. Later, Clarence Darrow agreed to join counsel retained by the N. A. A. C. P. for the defense.

When a motion for a new trial was denied, appeal was taken to the Alabama Supreme Court, where arguments will be held during the third week in January.

III

But while these investigations and negotiations were proceeding, a new element entered the cases which simultaneously complicated them to an unbelievable degree and, at the same time, made them the most notable test of strength to date between those who seek justice for the Negro through American forms of government and those who seek to spread Communist propaganda among American Negroes.

With a blare of trumpets the Communists seized upon the Scottsboro convictions. It was, they realized, a golden opportunity to put into effect the plan decided upon by the Third Internationale and upon which they had been assiduously working but with only a modicum of success—to capitalise Negro unrest in the United States against lynching, jim crowism, proscription, and insult. As far back as 1925 a segregated wing of Communism, "The American Negro Labor Congress," which later became "The League of Struggle for Negro Rights," had held at Chicago a convention to win Negroes to the cause of Communism. In October, 1928, there was issued in Moscow a lengthy resolution on the Negro question in the United States, urging the Negro working class to form organizations which "if properly organized and well led" could "play a considerable role in the class struggle against American imperialism" and in leading "the movement of the oppressed masses of the Negro populace."

These efforts at organization were based upon the theory that the Negroes are the most oppressed group in the United States and, therefore, should be the most fertile field for revolutionary propaganda. The Scottsboro case offered the most dramatic opportunity yet afforded for this campaign.

Representatives of the International Labor Defense called on Mr. Roddy and sought to get him away from those who had retained him prior to the trial at Scottsboro. Edmund Wilson thus describes in the *New Republic* the offer: "According to Mr. Roddy, they went through all the gestures of taking him up into a high place and showing him the kingdoms of the earth. They told him he had the opportunity of becoming a national figure, a second Clarence Darrow—a dream, one gathers, entirely alien to Mr. Roddy's ambitions. He asked how they proposed to pay him. They explained that they would raise the money by holding meetings among the Negroes and getting them to contribute to a defense fund. This idea seemed distasteful to Mr. Roddy—and the I. L. D. representatives had begun to arouse his suspicions: one of them, who had said he was a lawyer, had in the course of a discussion of the trials, inquired whether the defendants had been 'arraigned' yet. Mr. Roddy refused to have anything to do with the International Labor Defense."

Immediately all the floods of American Communist billingsgate were loosed upon the Chattanooga lawyer. He

was accused in the *Daily Worker*, the Communist organ, of being a member of the Ku Klux Klan, of having conspired with the prosecution to electrocute the nine boys, of having been the inmate of an insane asylum. Later on a story was sent to the Negro press that Roddy had gone violently insane on the streets of Birmingham, attempted to kill his wife with an axe, and had been incarcerated by his own father in a Missouri asylum. No distortion of the truth, however libelous, which could be conjured up to deprecate Roddy's modest talents and reputation was considered unworthy of use in the Communist attempt to whip up enthusiasm for themselves among Negroes and whites who were stirred by the Scottsboro verdicts.

A special committee to raise funds for defense was organised by the I. L. D. among well-known writers of liberal tendencies such as Theodore Dreiser, Lincoln Steffens, John Dos Passos, Burton Rascoe, Lola Ridge, and Floyd Dell. Many thousands of letters appealing for funds to aid in defense were sent to white and colored individuals. With remarkable efficiency a house-to-house canvass was made of practically every Negro community, especially in the larger cities of the country, and leaflets, magazines, and copies of the *Daily Worker* were deposited in each home or apartment. Negro ministers were asked to permit Communist speakers to address their congregations and solicit funds for defense. Such permission was in many cases granted until these ministers became suspicious because of the Communist attacks on the N. A. A. C. P. Mothers of some of the defendants were convinced that every hand was turned against their boys save those of the Communists, that everyone else was "a tool of the capitalists" and was willing to have their boys electrocuted. Some of the parents changed. Some of the parents

and relatives, carried about the country to address meetings with speeches written for them, were insulated carefully from contact with any persons who might be of other than Communist opinions. A few of them, of humble background and with meager educational and other advantages, still believe the only way their boys can be saved from the electric chair will be through Communist "mass action." One of them is reported by the warden of Kilby Prison as having been so thoroughly convinced of this fact that she stood, arms akimbo, in the foyer of the prison and loudly asserted of the secretary of the National Association for the Advancement of Colored People that "I just wish I could get my hands on him—I'd wring his neck—trying to get my boy electrocuted!"

Particularly determined was the Communist assault on that organization which, for twenty-two years, has had a notable record of victories in State and Federal courts in protecting the Negro's constitutional rights. It numbers among the members of its Board of Directors distinguished white and Negro Americans of varying shades of political opinion, including such lawyers as the late Moorfield Storey of Boston, former president of the American Bar Association, Clarence Darrow, Arthur B. Spingarn, Felix Frankfurter of the Harvard University Law School, the late Louis Marshall, his son, James Marshall; such public figures as the Senior Senator from Kansas, Arthur Capper, the Lieutenant-Governor of New York, Herbert H. Lehman, Frank Murphy, Mayor of Detroit, Judge James A. Cobb; such social workers as Jane Addams, Florence Kelley, and Mary White Ovington; publicists, educators, and authors such as Dr. W. E. B. Du Bois, James Weldon Johnson, J. E. Spingarn, and President William Allan Neilson of Smith College.

The Communists sought vigorously

to weaken or destroy confidence in this organization and to injure the reputation it had built up over a period of two decades. Its officers were attacked as being "in league with the lyncher-bosses of the South," as plotters to "murder the Scottsboro martyrs," as sycophantic "tools of the capitalists." Determined efforts were made to break up meetings of the N. A. A. C. P., in some instances police officers being necessary to avert serious disorder. Communists were scattered throughout the audiences and, at a prearranged signal, began to shout for the right to be heard. When this was denied, handfuls of Communist literature were flung into the air and such disorder created as to break up some of the meetings. A favorite device would be for a Communist to announce that one of the "mothers" was present and demanded the right to speak. When at first such permission was granted, a Communist would make a lengthy harangue on Communism as an "introduction." When the supply of "mothers" was inadequate to cover such meetings—there are but five living mothers—substitutes were found. All over the country "mothers" were produced; in one instance the "mother" presented had lived in that Northern city for upwards of twenty years. Editors of Negro newspapers were approached with proposals to divide the money raised locally in exchange for boosting of Communist meetings.

In July, Negro share-croppers and tenant-farmers in rural Alabama were organized by Communist agents—two of them white and one a Negro—into a movement to gain relief from poverty "by mass action of white and black workers." Someone—no one seems to know who—telephoned the sheriff the time and place of a meeting of the Negro farmers and informed him that the meeting was called for the purpose of killing him and other officials. As a result the sheriff was wounded, one Negro killed, twenty or more were wounded, and thirty-four arrested and charged with plotting an insurrection. Meanwhile, the two white organisers had vanished, leaving their Negro comrade "to complete the work of organization." When later some of the arrested Negroes were freed, the local officials realizing that they were dupes of the Communists, the *Daily Worker* loudly and jubilantly shouted that "fear of united mass action" had caused the freeing of the men.

In Chicago where unemployment and suffering are most acute among Negroes, Communist agents were very active among the homeless and hungry on the South Side. Whenever word came of the eviction of a Negro family for non-payment of rent, crowds were speedily mobilized to march to the house and replace the furniture. The police for a week or more sought to avoid trouble by paying no attention and doing nothing about such action, whereupon the Communists loudly proclaimed to Negroes on the South Side that "we've got the police on the run—they're scared of us!" When court bailiffs who were dispossessing a Negro widow with several small children sent in a call for the riot squad, *two Negroes* were killed and others wounded. No *white* Communist was hurt. Mayor Cermak of Chicago, however, was stirred to action and ordered evictions stopped. In October a similar episode in Cleveland led to the death of two Negroes.

In New York, Detroit, Akron, Pittsburgh, Baltimore—in fact, in every city, town, and village where there is an appreciable number of Negroes—the same tactics were used in attempted thwarting of evictions, or in other spectacular appeals. Fortunately, to the time of writing, none has

resulted fatally as in Chicago, and Cleveland, where the funerals of the Negroes killed were utilized for huge parades sprinkled abundantly with banners and speeches advocating the overthrow of capitalism.

IV

And what was the soil into which the Communist propaganda fell? As I write I sit in a large Middle-western industrial city. Yesterday I was told by a social worker of a case he had encountered a day or so before. A Negro industrial worker employed by a large rubber company was about to be evicted from his tiny, humble home for non-payment of three months' rent amounting to sixty dollars. He owed a balance of forty-eight dollars on a loan, and the loan company had garnisheed his wages. With a wife and five children wholly dependent on his wages, his wife a chronic invalid, two girls in high school, and the entire family suffering from under-nutrition, the man's wages are *thirteen dollars a week*. Less than two dollars a day to feed seven mouths, pay rent, buy clothing.

Two weeks ago I visited Alabama, Georgia, and other Southern States. The collapse of cotton prices will hit the Negro farmers—some four million of them—harder than any other group, inasmuch as they are now and have been for some time on the ragged edge. A recent survey by the National Urban League reveals that in Chicago Negroes form 4 per cent of the population but four times that percentage of the unemployed; in Pittsburgh Negroes make up 8 per cent of the total population but 38 per cent of those out of work; in Baltimore the percentages are 17 and 31.5; in Buffalo 3 and 25.8; in Houston, Texas, 25 and 50; in Little Rock, Arkansas, 20 and 54; in Memphis, 38 and 75; in Philadelphia, 7 and 25.

Usually the last to be hired and first to be fired, kept out of the skilled and semi-skilled trades even when amply qualified by ability and training to perform skilled work at correspondingly higher wages, the Negro unquestionably is suffering during this period of distress more than almost any other group. Lynchings have declined in number during recent years but are still frequent enough to hang ominously over the heads of Negroes, particularly in the Southern and border States, as a not unlikely fate should they stir the mob's hostility, ever near the surface. The benefits of unionization are denied them; the American Federation of Labor has even ceased passing perfunctory resolutions against the color line in union membership, while the majority of its constituent unions bar Negroes from membership by constitutional provision or unwritten law. According to Edwin R. Embree, President of the Julius Rosenwald Fund, in his recent book, *Brown America*, though Negroes are taxed at the same rate as whites, yet the average annual expenditure in eight Southern States for education per colored child is but $12.50 against $44.31 for each white child. In Georgia the average is $35.42 for whites and $6.38 for Negroes; in Mississippi, $45.34 and $5.45.

These are but the immediate pin pricks, sharp as they are. For it is not generally realized that an enormous change has taken place in Negro thinking since the World War. More and more the Negro has realised that the problem he encounters in the United States is only a part of the whole structure of race prejudice which the modern age of imperialism has created. The stirrings of thought and unrest in Africa, Asia, and the Far East of black and brown and yellow races have not been without their counterpart in the United States. The War shattered whatever notions of the

white man's infallibility and invulnerability the Negro and other colored races unquestionably held prior to 1914. Thoughtful Negroes see all too clearly that the world order which seemed so impregnable before the shooting at Sarajevo is in a bad way if it isn't on the point of collapse. They realize, as does Paul Hutchinson in his *World Revolution and Religion*, that the white nations of the present world have no intention of changing materially the scheme whereby the colored races of mankind have so small a share of the wealth and power they help create; and the ruling classes among the white nations of the earth seem to them to be as filled as ever with pride and greed and sublime contempt towards every race and color but their own.

It is through such an embittered Negro world that the Communists shrewdly sought to spread their theories and to gain a large following. At first their efforts met with a success which amazed the more conservative leaders of Negro opinion. A man who is starving, homeless, exploited, and oppressed is always a fertile field for those who advocate a change. Many Negroes looked upon the Communist as a new Messiah, a new Moses sent to lead them from the bondage which had become almost unbearable. With jesuitical zeal and cleverness the American Communist agitator sought to fan this flame of discontent which the slave trader, the lyncher, the disfranchiser, the denier of decent jobs and wages and homes had lighted and kept alive through three centuries. He resorted to every possible means to impress upon the Negro that he had no stake in his own land, that a philosophy of complete despair was the only sane and intelligent attitude for him to take. All this was centered about the Scottsboro cases as the basis for a highly emotional appeal. Negroes and whites were urged to give vent to their resentment against the farcical trials accorded the nine Negro boys by sending telegrams to the Governor of Alabama or to other officials of that State, peremptorily demanding immediate release of the defendants. Often the industrious Communists volunteered to write the messages for less literate Negroes. It is reported that Governor Miller of Alabama has received more than seventeen hundred such messages.

When this campaign of threats was denounced by non-Communist organizations like the N. A. A. C. P., the vials of wrath of Communist publications were poured upon them and they were denounced as "traitors" and as conspirators to execute the boys.

For a time some of the Negro editors accepted without question the stories sent to them and the interpretations put into those stories by the Communists. "What does it matter whether God, the devil, or Communists save those helpless black boys down there in Alabama?" declared an Oklahoma paper editorially. "We don't by a long sight endorse the complete program of the Communists; we see that organization just as we see everything else. There is good and bad in everything and everybody. When the Communists talk about the overthrow of government we quit their program, but when they talk of race equality and the protection of constitutional rights of citizens, we are with them one hundred per cent and we are not ashamed to say so."

Another paper in Texas, after pointing out that America with all her boasted wealth and genius is unable to protect her own citizens either from the mob or starvation, declared, "We are hearing much in America during these times about Communism and the efforts of Soviet agitators to make converts in this country, and despite the fact that the press of the nation does

not regard this type of propaganda as a menace, yet when men and women are victimized by hunger, want, privation and suffering, almost any kind of radical and revolutionary doctrine, which offers them certain relief and liberation from the system under which they are suffering will make considerable headway among a large element of such a population."

V

Seldom in the history of modern times has a field so fruitful been ready and waiting. That the opportunity to take lasting advantage of this was lost is almost entirely due to the shortsightedness of the leaders of the Communist party in the United States. Had they been more intelligent, honest, and truthful there is no way of estimating how deeply they might have penetrated into Negro life and consciousness. At the beginning of the Scottsboro Case they talked much and often of a "united front," but it was soon to be seen that all who did not submit wholly to Communist dictation were classed and branded as "enemies" and "tools of the capitalists." The suspicion began to grow in the Negro mind—and this suspicion was more than confirmed—that at least some of the Communists did not want the nine boys saved but sought instead to make "martyrs" of them for purposes of spreading Communist propaganda among Negroes. Negroes, too, saw that in the present stage of events the only Southern whites who were trying to get a new trial for the nine boys were capitalists, one of them the son of a former governor of Alabama, while the mob which had surrounded the courthouse at Scottsboro had been made up largely of white "workers." Negroes realized that ill-advised, threatening tactics would serve no other immediate purpose than to make their own lot infinitely harder; that enemies of the Negro would surely utilise Communist agitation as a pretext for refusal to remedy bad conditions, for stifling legitimate protest by Negroes through attributing it to "Communist" propaganda. Disillusionment replaced the hope which the Communist orators had brought.

It is unfortunate that the American leaders of Communism were not blessed with more common sense. Their bungling and dangerous tactics in the Scottsboro cases have even led to sharp criticism from within their own party. The *Revolutionary Age*, for example, says of the methods used:

> Such is the poisonous blight spread in every direction by the new sectarian policies dominating the Communist Party today, that even this glorious page [taking up defense of the nine boys] has been darkened by its ominous shadow. False and suicidal tactics have well nigh undone the achievements of profoundly correct principles! When the I. L. D. initiated its Scottsboro campaign, it outlined a program of great promise. A broad and real united front movement was planned with slogans that would draw in the most backward masses and their organizations, both white and black. An end to the insanity of "social-fascism" and a cessation to the orgies of irresponsible abuse were promised. But the promises turned into ashes. . . .
>
> It did not take very long before it became clear enough that the Communist Party leadership had no conception whatever of what the united front really is. At the beginning, every friendly word in the Negro press, every sympathetic gesture was hailed in the columns of the *Daily Worker* as the "broadening of the united front." Then suddenly everything changed. Only those who accepted the ultimate slogans of the Communists and subordinated themselves to the I. L. D. were regarded as "in the united front"—all others became "staunch allies of the white masters."
>
> . . . Coupled with this altogether false conception of the united front came an equally false estimation of the role of petty bourgeois organizations among the Negroes as an oppressed people. Nor was any sign

exhibited of an appreciation of the importance of gaining a labor base among the white workers. The same old story resulted—"conferences" which represented nobody, "united fronts" based on appeals to "follow" the Communist Party, discredit, isolation. . . .

Thus has the Communist Party again gotten itself into the unenviable position that it has been in altogether too frequently in recent months—that of a force for disunity and splitting.

Among Negroes the pendulum swung sharply away from the American Communist program, even among those of intelligence who had looked, if not with sympathy, at least with interest upon the economic and social experiment which is going on in Soviet Russia. Among these is the distinguished Negro sociologist and editor, Dr. W. E. B. Du Bois, who wrote in the September issue of the *Crisis* that if the Communists had been really intelligent they would have joined hands with any and all bodies and individuals who honestly sought to provide the best legal defense possible, and then, the case won, they "could have proceeded to point out that legal defense alone, even if successful, will never solve the larger Negro problem but that further and more radical steps are needed."

"Unfortunately," Doctor Du Bois added, the tactics of the American Communists were "neither wise nor intelligent. . . . If the Communists want these lads murdered, then their tactics of threatening judges and yelling for mass action on the part of white Southern workers is calculated to insure this."

Clarence Darrow's entrance into the cases at Scottsboro effectively silences in the minds of all but the most intransigent the argument that "capitalists" are trying to murder the nine Negro boys of the Scottsboro cases. In the meantime the United States can, if it will, learn a lesson from these cases, tragically so typical of three centuries of oppression of the Negro here. The Negro is not turning red just yet; but that circumstance is due chiefly to the blunders of the Communists.

For three hundred years the Negroes have been unswervingly loyal. Should the burdens they have borne so long not be lightened, they can hardly be blamed if sheer hopelessness descends upon them and they are tempted to turn on their oppressors. They know that they will be in doubled jeopardy if they face both anti-Negro and anti-Communist feeling. Some of them are willing, nevertheless, to face even that and death rather than go on as things now stand.

There is but one effective and intelligent way in which to counteract Communist efforts at proselyting among American Negroes, and that method is drastic revision of the almost chronic American indifference to the Negro's plight. Give him jobs, decent living conditions, and homes. Assure him of justice in the courts and protection of life and property in Mississippi as well as in New York. Put an end to flagrant and unchecked disregard of the Negro's constitutional right to vote. Let labor unions—conservative and liberal *as well as radical*—abolish written or implied barriers against the Negro, doing so in sheer enlightened selfishness, if for no other reason, since it is self-evident that white labor will never be free as long as black labor is enslaved and exploited. Let employers of labor even in this time of acute depression see to it that Negro workingmen are treated no worse than white. In brief, the only antidote to the spread among American Negroes of revolutionary doctrines is even-handed justice.

985

THE N. A. A. C. P.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

What It Aims To Do:

To make 12,000,000 colored Americans physically free from peonage, lynching and mob violence.
Mentally free from ignorance.
Politically free from disfranchisement.
Socially free from insult.

What It Has Done:

Won 6 decisive victories in U. S. Supreme Court affirming fundamental constitutional rights of Negroes and all other minority groups; has won innumerable decisions in lower courts.

Conducted first organized campaign against lynching; personal investigations of numerous race riots and mob murders; published "Thirty Years of Lynching"; made lynching national issue.

Successfully opposed anti-Negro legislation in Congress and State Legislatures.

Has conducted world-wide campaign of education in race relations through books, magazine and newspaper articles, public meetings, radio addresses and its official organ, THE CRISIS.

Through annual award of Spingarn Medal, for 17 years has called the world's attention to Negro talent and achievement; has fostered and stimulated the Negro's creative expression in the arts.

Membership Open to All, Without Regard to Race, Creed or Color.

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69 FIFTH AVENUE, NEW [illegible]
TELEPHONE: ALGONQUIN 4-3551
Official Organ: The Crisis

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February
6th
1942

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Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Rosen
Mr. Carson
Mr. Edwards
Mr. Bowman
Mr. Quinn Tam[illegible]
Mr. Keane
Miss Gandy

My dear Mr. Hoover:

Thank you for your gracious note of January 28th. I shall take advantage of your invitation to call at your Los Angeles and San Francisco offices, should there be occasion for my doing so.

Cordially,

Walter White

Secretary.

WALTER WHITE

Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

INDEXED
RECORDED

61-3176-18X1
FEDERAL BUREAU OF INVESTIGATION
18 FEB 17 1942
U. S. DEPARTMENT OF JUSTICE

WW:CTF

EHW:SB

REQUESTED

61-3176 -19 April 17, 1942

Special Agent in Charge
Springfield, Illinois

Re: NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
INTERNAL SECURITY - C

Dear Sir:

Reference is made to your deferred status letter of April 1, 1942, in the captioned matter.

You are instructed to remove this case from a deferred status, and to place it in line for investigative attention in the near future.

Very truly yours,

John Edgar Hoover
Director

ALL INFORMATION CONTAINED
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DATE 9-22-80 BY SP/65/HC

13 APR 22 1942

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Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. McGuire
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

COMMUNICATIONS SECTION
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U. S. DEPARTMENT OF JUSTICE

Springfield, Illinois, April 1 1942
(Field Office) (Date)

Director
Federal Bureau of Investigation
Washington, D. C.

Re: NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE.
INTERNAL SECURITY - C.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-22-80 BY SP-1 6sttc

Dear Sir:

This case was received January 6, 1942.
(Date)

The source or complainant:

b7C

Report of Special Agent [redacted] Dated August 11, 1941, at
(Name) Chicago, Illinois. (See Springfield File #100-222-20, page 21.)

Chicago, Illinois
(Address)

*Summary of Complaint: Above mentioned report reflects that the following registered as delegate to American Youth Congress at Chicago, Ill.: [redacted] colored. Organization - N.A.A.C.P., 210 So. 5th St., 400 members, civil rights organization. [redacted]

b7C

This case after due consideration has been placed in a deferred status. It will receive appropriate attention immediately when personnel is available.

Very truly yours,
RECORDED
A. H. CROWL
Special Agent in Charge

161-2176-19
FEDERAL BUREAU OF INVESTIGATION
APR 4 1942
U. S. DEPARTMENT OF JUSTICE

AHC/jj
100-5198
*(If Bureau files contain information in field office files, list Bureau file number or refer to agent's report.)

EX-1

11395

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT MEMPHIS, TENNESSEE FILE NO. 100-828

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
NORFOLK, VIRGINIA	4/18/42	11/24/41;1/28, 29;2/4,5/42	[redacted] TJG:AED

TITLE
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

CHARACTER OF CASE
INTERNAL SECURITY - C

SYNOPSIS OF FACTS:

National Association for the Advancement of Colored People Conference held at Hampton, Virginia, at the Hampton Institute. Theme of conference "Current Problems in America for Negro Youth." Conference addressed by WALTER WHITE, Secretary of National Association for the Advancement of Colored People, who urged national unity. Conference resolved to four-point program dealing with civil liberties, poll tax, white primary and labor educations

REC'D 12-22-53
Form. 1-11-54

DETAILS:

AT HAMPTON, VIRGINIA

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-22-80 BY SP4 [illegible]

This investigation is predicated upon a letter from the Memphis Field Division, dated October 29, 1941, requesting that an investigation be made of the proposed conference of the National Association for the Advancement of Colored People, which was to be held at Hampton, Virginia, on October 31, 1941 to November 2, 1941.

[redacted]

APPROVED AND FORWARDED: C. E. Hennrich SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

61-3176-20 RECORDED & INDEXED

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100-626

to furnish information in which the Bureau would be interested.

b7D [redacted] stated that he would attempt to follow the program of the National Association for the Advancement of Colored People as closely as possible, [redacted] although he was not certain of this. He advised that the following program was scheduled for this conference: Friday, October 31, 1941, conference to be opened with a welcome by Dr. MALCOLM MacLEAN, President of Hampton Institute, and an address by Dr. EDWARD C. LINDEMAN, following which there was to be an open forum. He added that on Saturday, November 1, 1941, the conference was scheduled to break into five panel groups, starting at 10:30 in the morning, at which time the following subjects were to be discussed: "Civil Liberties and Negro Youth", "Negro Youth and Labor Unions", "Negro Youth as a Consumer", "Defense and Negro Youth", and "Problems for Negro Youth in Education". On Sunday, November 2, 1941, the conference was to be addressed by WALTER WHITE, Secretary of the National Association for the Advancement of Colored People, and Dean KITTRELL, who was to close the conference.

b7D [redacted] advised that he followed the conference as closely as possible, and stated that he obtained a general outline of the subjects discussed by the conference. [redacted]

[redacted] gave the following account of the conference: In the keynote address delivered by Dr. EDWARD C. LINDEMAN he stated that a battle for democracy must be fought as vigorously on the home front as abroad if America will remain free of serfdom. He outlined a program consisting of the following points: Greater equalization of ownership, wealth and participation in culture; the end of discrimination against our citizens because of race or religion; remedial measure to end political corruption and abolish the poll tax; extension of social security to cover all citizens; plans for world organization when peace comes.

b7D [redacted] stated that the panel discussions on Saturday, November 1, 1941, were confined to the topics outlined previously with reference to the program, and the following statement of purpose was listed as a result of these discussions: Civil liberties; Organization of discussion and forum groups under trained leadership on the campuses of Negro colleges; Deputizing of students to conduct an educational program in the community, and cooperation of NAACP chapters with community groups fighting for civil rights and liberties; Called for federal anti-poll tax legislation. White Primary - Approved and

100-628

advocated a fight against it and pledged education of the Negroes in southern states to work against it. Labor Education: Favored inclusion of labor education in colleges; Deplored the A.F. of L. discrimination policy and endorsed integration of workers in unions of C.I.O.

The following individuals were leaders in these panel discussions:

Judge WILLIAM H. HASTIE, Civilian Aide to the Secretary of War

Dean R. O'HARA LANIER, Hampton Institute

Reverend JAMES H. ROBINSON, of Church of the Master, New York City

MADISON S. JONES, Jr., Youth Director for the N.A.A.C.P.

Professor L. F. PALMER, Newport News, Virginia

ELLA BAKER, Assistant Field Secretary of N.A.A.C.P.

Dr. CHARLES S. FRANKLIN, Social Security Board

Dr. CHARLES H. THOMPSON, Washington, D. C.

SAMUEL A. ROSENBERG, Hampton Institute

W. ROBERT MING, Jr., Howard University Law School

PETER B. SCHROEDER, Hampton Institute.

67D [redacted] advised that the address of WALTER WHITE was broadcast over radio stations WGH, of Newport News, Virginia, and WRVA, of Richmond, Virginia. He said that the theme of WHITE'S speech was to give without reluctance to smash the evils abroad and to make democracy a living reality in the United States, which, he stated, included the forgetting of racial prejudice, and the achievement of national unity.

The address by Dr. MALCOLM S. MacLEAN, which opened the conference, revolved around the statement that the future of the Negro in the United States depended upon higher education.

((11398 ( )

100-828

[redacted] the conference was attended by about 125 members, most of them being from colleges and universities. [redacted]

b7D

Inasmuch as the information set forth covers matters discussed at the National Association for the Advancement of Colored People Conference at Hampton Institute, this case is being referred upon completion to the office of origin.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

4-750 (2-7-79)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
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61-3176-20 (page 5)

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